**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.M.JOSEPH**

**WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928**

**WP(C).No. 9563 of 2007(L)**

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**PETITIONERS:**

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**1. R.SANGEETHA, W/O.N.REGHUNATHAN NAIR, SURABHI, KIZHAKKUM MURI, KAVUMBHAGOM P.O., THIRUVALLA (TEACHER IN CHARGE), SKV LOWER PRIMARY SCHOOL,KIZHAKKUM MURI,KAVUMBHAGOM P.O., THIRUVALLA)**

**2. B.S.SMITHA, W/O.C.RAJESH, CHANDRA VIHAR, NIRANAM NORTH P.O., THIRUVALLA (LOWER PRIMARY SCHOOL ASSISTANT, SKV LOWER PRIMARY SCHOOL,KIZHAKKUM MURI, KAVUMBHAGOM P.O., THIRUVALLA)**

**BY ADV. SRI.S.SUBHASH CHAND**

**RESPONDENTS:**

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**1. STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT, DEPARTMENT OF GENERAL EDUCATION, GOVERNMENT SECRETRIAT,THIRUVANANTHAPURAM.**

**2. DIRECTOR OF PUBLIC INSTRUCTION, OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, THIRUVANANTHAPURAM.**

**3. DISTRICT EDUCATIONAL OFFICER,**
**OFFICE OF THE DISTRICT EDUCATIONAL OFFICER,**
**THIRUVALLA.**

**4. ASSISTANT EDUCATIONAL OFFICER,**
**OFFICE OF THE ASSISTANT EDUCATIONAL OFFICER,**
**THIRUVALLA.**

**5. MANAGER, SKV LOWER PRIMARY SCHOOL,**
**KIZHAKKUM MURI, KAVUMBHAGOM,THIRUVALLA.**

**R1 TO R4 BY GOVERNMENT PLEADER (SHRI A. J. VARGHESE)**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**K. M. JOSEPH, J.**

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**W.P.C. NO. 9563 OF 2007 L**

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**Dated this the 21st March, 2007**

**JUDGMENT**

Petitioners are aggrieved by the fact that Ext.P9 Order is not being implemented. Ext.P9 is an order passed by the Additional Director of Public Instruction dated 2.2.2007, whereunder the Additional Director of Public Instruction has directed the fourth respondent AEO, to approve the appointment of first petitioner as Teacher-In-Charge with effect from 6.6.2005, if she is otherwise eligible. Apparently, the second petitioner was appointed in the consequential vacancy of LPSA from which the petitioner was appointed as Teacher-In-Charge, which is now directed to be approved by Ext.P9. Heard the learned Government Pleader also. Petitioner has already approached the fourth respondent AEO, by filing Ext.P10. Ext.P10 is seen dated 1.3.2007. I feel that it will be in the interest of justice that the fourth respondent is directed to take a decision on Ext.P10. Ext.P10 is filed praying that Ext.P9 be

implemented at the earliest, as the salary and allowances are denied to the petitioners for the past two years. Accordingly, leaving open the contentions of petitioners, the Writ Petition is disposed of directing the fourth respondent to take a decision on Ext.P10 in accordance with law, as expeditiously as possible and, at any rate, within a period of three weeks from the date of receipt of a copy of this Judgment.

**K. M. JOSEPH, JUDGE**

kbk.